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CITY AND COUNTY OF SAN FRANCISCO
AND GEORGE BUTTERWORTH

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

JOHN TENNISON,

Plaintiff,

vs.

CITY AND COUNTY OF SAN
FRANCISCO, SAN FRANCISCO POLICE
DEPARTMENT, EARL SANDERS,
NAPOLEON HENDRIX AND GEORGE
BUTTERWORTH,

Defendants.

Case No. C 04-0574 CW

**STIPULATION AND ORDER
CONTINUING FURTHER CASE
MANAGEMENT CONFERENCE
AS MODIFIED**

RECITAL

This Court's Case Management Order of April 6, 2006, set a further case management conference in this matter for October 6, 2006, at 1:30 p.m. The Order noted, "If no decision is made by the Ninth Circuit [regarding pending appeals of this Court's partial denial of summary judgment motions to certain defendants] by October 6, 2006, the parties can stipulate to continue the Case Management Conference." Document 503 at 2.

On October 2, 2006, this Court ordered that the Case Management Conference be continued until June 8, 2007, at 1:30 p.m. Document 506.

On May 14, 2007, this Court issued a Clerk's Notice, which rescheduled the Case Management Conference for June 12, 2007, at 2:00 p.m. Document 532.

On June 1, 2007, this Court ordered that the Case Management Conference be continued until August 7, 2007. Document 534.

The Ninth Circuit heard oral argument in this case on June 12, 2007 at 9:00 a.m.

On July 30, 2007, this Court ordered that the Case Management Conference be continued until December 4, 2007, at 2:00 p.m. Document 536.

On November 28, 2007, this Court ordered that the Case Management Conference be continued until February 12, 2008, at 2:00 p.m. Document 539.

On February 4, 2008, this Court ordered that the Case Management Conference be continued until March 25, 2008, at 2:00 p.m. Document 541.

On March 14 2008, this Court ordered that the Case Management Conference be continued until June 10, 2008, at 2:00 p.m. Document 543.

The Ninth Circuit has not yet entered a decision in this case and recently vacated submission of the case pending a decision by the United States Supreme Court in *Van de Kamp v. Goldstein*, No. 07-854, 2008 WL 1699467 (U.S. Apr. 14, 2008), a case in which the Supreme Court recently granted certiorari.

The parties therefore request that this Court continue the June 10, 2008 Further Case Management Conference to September 9, 2006 at 2:00 p.m. Should the Ninth Circuit dispose of

the appeal before that date, the parties will notify the Court so that the further case management conference may be advanced.

STIPULATION

For the foregoing reason, the parties, through their undersigned counsel, stipulate and agree to entry of an order continuing the further case management conference from June 10, 2008 at 2:00 p.m. to September 9, 2008 at 2:00 p.m.

Dated: May 30, 2008

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By: _____/s/_____
SCOTT D. WIENER
Attorneys for Defendants
CITY AND COUNTY OF SAN FRANCISCO
AND GEORGE BUTTERWORTH

Dated: May 30, 2008

JAMES QUADRA, ESQ.
MOSCONE, EMBLIDGE & QUADRA, LLP

By: _____/s/*_____
JAMES QUADRA
Attorneys for Defendants EARL SANDERS and
NAPOLEON HENDRIX

Dated: May 30, 2008

ELLIOT R. PETERS, ESQ.
KHARI J. TILLERY, ESQ.
KEKER & VAN NEST, LLP

By: _____/s/*_____
DANIEL PURCELL
Attorneys for Plaintiff JOHN TENNISON

1 Dated: June 1, 2008

2 JOHN HOUSTON SCOTT, ESQ.
3 THE SCOTT LAW FIRM

4 By: _____/s/*
5 JOHN HOUSTON SCOTT
6 Attorneys for Plaintiff ANTOINE GOFF


7 *The filer of this document attests that concurrence in the filing of this document has been
8 obtained from the signatories.

9 **ORDER**

10 GOOD CAUSE appearing, it is HEREBY ORDERED that the further case management
11 conference in this matter is continued pursuant to the terms of the foregoing stipulation.

12 IT IS SO ORDERED, **EXCEPT THE CASE MANAGEMENT CONFERENCE**
13 **WILL BE HELD ON SEPTEMBER 16, 2008, AT 2:00 P.M.**

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15 Dated: 6/9/08

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17 THE HONORABLE CLAUDIA WILKEN
18 UNITED STATES DISTRICT JUDGE
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